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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

)	Case No. CV__ - ____ - AHM (___x)
)	
Plaintiff(s),)	STANDING ORDER RE BENCH TRIAL
)	
v.)	
)	
)	
Defendant(s).)	
)	
)	
)	
)	
_____)	

This matter is currently scheduled for a ____ day court trial beginning on _____ at 8:00 a.m. Good cause appearing therefor, the Court hereby orders as follows:

1. **Stipulated Facts.** The parties shall submit a detailed stipulation of those facts to which they agree. *E.g.*, “Plaintiff was hired on [date] to be the Manager of Human Relations. Her duties consisted of _____. She reported to _____. Six employees reported to her.”

2. **Opening Statements and Proposed Findings of Fact and Conclusions of Law.** If they have not already done so, each party shall file his, her or its Proposed Findings of Fact and Conclusions of Law not later than eight

1 days before trial - - *i.e.*, ordinarily the Monday of the week preceding trial.
2 These shall incorporate the agreed-to facts as well as facts not stipulated. If
3 possible, each party shall provide the Court with an electronic copy of its
4 proposed findings and conclusions in Word or WordPerfect format prior to the
5 first day of trial. Opening statements shall be brief and shall summarize how the
6 attorney expects to prove the key components of his/her proposed fact findings.

7 3. **Joint Trial Witness Time Estimate Form.** Not later than eight
8 days before trial, the parties shall complete and file the Joint Trial Witness Time
9 Estimate Form (see attached).

10 4. **Joint Exhibit List.** Not later than eight days before trial, the parties
11 shall file a final Joint Exhibit List. *See* Local Rule 16-5. They shall specifically
12 designate by asterisk those exhibits to which there is an objection.

13 5. **Witness Declarations and Narrative Summaries.**

14 (a) Not later than eight days before trial, for each witness a party intends
15 to call at trial, counsel for that party shall either (1) file an executed declaration
16 in lieu of direct testimony, or (2) if the testimony of the witness is contained in
17 the transcript of a deposition, convert the questions and answers that were given
18 at the deposition into a coherent, substantive narrative that can serve as that
19 witness's direct testimony. If option (2) is exercised, the proponent shall seek
20 from the other side a stipulation that the narrative is a fair and accurate
21 distillation of the deposition testimony. At trial, the Court will permit "live"
22 questioning only for cross-examination and re-direct of each such witness.

23 (b) This paragraph does not apply to adverse or hostile witnesses; *i.e.*,
24 counsel may call such witnesses to the stand for live examination in their case-
25 in-chief.

26 6. **Objections to Declarations and Narrative Summaries.** Not later
27 than four days before trial - - *i.e.*, ordinarily the Friday before trial - - each party
28 shall file a copy of its written objections to the testimony contained in the

opposing party's declarations and/or narrative summaries and file a chambers copy with the Court. Failure to file such written objections will be deemed a waiver of any such evidentiary objections. The Court will read the declarations, narrative summaries and objections in chambers. The Court will rule on such objections before the declaration or summary is received.

7. Depositions in Lieu of Narrative Summaries.

In certain cases, such as where numerous objections were asserted at a deposition and a fair and accurate distillation of the defendant's deposition testimony cannot be prepared because the deposition testimony was fragmented, incomplete or ambiguous, the proponent may mark and lodge the proffered portions of the deposition transcript in accordance with the Local Rules. In those circumstances, which the Court expects will *not* be the norm, the Court will read the lodged portions, rule (if necessary) on the objections in court and treat the admitted portions of the transcript as the witness's direct testimony.

8. **Closing Statements and Post-Trial Briefs.** For an overview and review of the evidence, the Court will rely exclusively on closing statements. It will not accept or read post-trial briefs, unless specifically authorized. In delivering closings, counsel shall use their respective proposed findings of fact and conclusions of law as a “checklist” and should identify the evidence that supports the proposals. At trial, therefore, counsel shall be prepared to be specific, meticulous and complete in pointing to such evidence.

The Court thanks counsel in advance for their anticipated cooperation and compliance with this order.

IT IS SO ORDERED.

DATE: September 28, 2011

A. Howard Matz
United States District Judge

JUDGE A. HOWARD MATZ

JOINT TRIAL WITNESS TIME ESTIMATE FORM
CASE: _____

TRIAL DATE: _____

	WITNESS NAME	PARTY CALLING WITNESS AND ESTIMATE	X-EXAMINER'S ESTIMATE	DESCRIPTION OF TESTIMONY	COMMENTS
1					
2					
3					
4					
5					
6					
7					
8					

9					
10					
	TOTAL ESTIMATES THIS PAGE:				

Instructions:
(1) List witnesses (last name first); (2) For description, be extremely brief, e.g., “eyewitness to accident.” Or “expert on standard of care.” (3) Use estimates within fractions of an hour, rounded off to closest quarter of an hour. E.g., if you estimate 20 minutes, make it .25. An estimate of one and one-half hours would be 1.5. An estimate of three-quarters of an hour would be .75; (4) Note special factors in “Comments” column. E.g., “Needs interpreter.” (5) Entries may be in handwriting if very neat and legible.